

BACWA Recycled Water Committee Meeting Notes
EBMUD Headquarters – 2nd Floor Small Training Conference Room
July 16, 2019
10:30 a.m. – 12:30 p.m.

1. Introductions – Olson

Leah Walker – City of Petaluma
Justin Waples - CCCSD
Stefanie Olson - DSRSD
Lorien Fono - BACWA
Reena Thomas - EBMUD
Rhodora Biagtan - Hydroscience
Cheryl Munoz - SFPUC
Jackie Zipkin - EBDA
Sarah Rhodes – Woodard & Curran
Roanne Ross – West Yost
Liz Falczyk - Novato
Irene Suroso – DSRSD
Daniel Larsen – City of Redwood City
John Kenney – Trussel Technology
Jan Lee – City of Hayward
Medi Senaki – Valley Water
William Burrell – Regional Water Board
Ryujino Tsuchinhashi - Jacobs
On phone
Diego Martinez – Palo Alto
Lei Hong – Valley Water
Tom Hall - EOA
Melanie tan – Kennedy Jenks
Brian Kuhn – SFO
Maggie Monaghan – Regional Water Board
Kevin booker – SCWA
Eric Hansen – SVCW
Jayne Strommer - DSRSD

2. New BACWA Recycled Water Committee Co-chair, Justin Waples (Olson)

Justin Waples (CCCSD) is taking over for outgoing cochair Leah Walker (City of Petaluma)

3. Funding Opportunities

a. Federal (Strommer)

i. Water Infrastructure Improvements for the Nation (WIIN) Act

and that cap was reached with the Funding Opportunity that closed June 28th. The Fiscal Year 20 appropriations include only \$10M for the program in the House Energy and Water appropriations bill; the Senate has not moved any appropriations bills so far. There are 3 active bills in Congress that include reauthorization of this grant program: H.R. 1162, H.R. 2473 and S. 1932.

- H.R. 1162, is the "Water Recycling Investment and Improvement Act" (3-page bill) - Introduced February 13th by Congresswoman Napolitano, and it has 26 Democrat Cosponsors. This bill includes a \$500 M reauthorization of the WIIN Act recycled water grant program; also increases the federal share cap from \$20 M per project to \$30 M, but does not change the overall 25% federal cost share. Current Status – a legislative hearing was held on June 13th in the Subcommittee on Water, Oceans and Wildlife of the House Natural Resources Committee. Hopefully it will move to markup soon.
- H.R. 2473, "Securing Access for the central Valley & Enhancing (SAVE) Water Act" (26-page bill) – It was introduced May 2nd by Congressman Josh Harder and Currently has 7 Democrat Cosponsors. It includes the same WIIN Act recycled water grant program language as in Napolitano's bill, but it is a broader bill including other water programs. It Includes RIFIA "Reclamation Infrastructure Finance and Innovation Act" with \$150 M authorized for a pilot program. This follows the WIFIA model - so \$150 M authorization would

be leveraged to provide \$8-\$12 B in loans. It is proposing to use existing criteria under the WIFIA program, with EPA administering the loans but projects for funding are recommended by/through the Bureau of Reclamation (details TBD). This bill was also part of the June 13th hearing in the House Subcommittee on Water, Oceans and Wildlife

- S. 1932, "Drought Resiliency and Water Supply Infrastructure Act" (53-page bill) – The Bill was introduced on a bipartisan basis with Senator Cory Gardner (CO) and Senator Dianne Feinstein, along with 2 Senators from Arizona (Senator McSally (R) Chair of the Subcommittee and Senator Sinema (D)). This is considered a "western water bill" so it has many different programs included. With regard to water recycling, it includes a 5-year, \$100 M reauthorization of the WIIN Act grant program. It also includes RIFIA – with \$150 M authorized for the program. A Senate hearing is scheduled for July 18 in the Water and Power Subcommittee of the Energy & Natural Resources Committee.

ii. *Title 16.*

The House-passed Energy and Water Appropriations bill includes ~\$53 M for Title XVI authorized projects. Again, the Senate hasn't passed any appropriations bills.

b. State

i. *Update on BAIRWM Prop 1 – Munoz*

CC will be meeting on Monday July 22. The PSP will be forwarding their project recommendation at that time. \$152.1M in project requests were received, and \$22.7M was available (plus \$2.2M in DAC funding). The next step is to set up a workshop with DWR to review the recommended projects to ensure they meet the standards set by DWR.

4. 2016 State Recycled Water Use Permit Transition Update (Gunter/All)

At the last BACWA Recycled Water meeting the Regional Water Board was still unclear about how they would implement the transition from 96-011 to the State General Order. Since then they have met with a State Water Board attorney to discuss transition plan, as well as NPDES division chief. The plan (pending on more review at State Water Board) is that all 96-011 enrollees will be transitioned. The Regional Water Board will refer to the Title 22 engineering report in each project's NOA. The Regional water board attorney says that an additional permit would only be needed if there was a discharge separate from the recycled water use. NPDES fact sheets will address the connection between production and permitted use. Melissa and Blair have been gathering necessary documentation and if there is anything missing they will reach out to Plants individually. Per the one year deadline, the projects will need to be transitioned by April 8, 2020, but the Regional Water Board hasn't yet worked out details of the timeline.

5. State Board's informational notices for implementation of Recycled Water Policy (Olson)

In July, the Water Board Executive Director will issue water quality orders to permittees covered by NPDES permits, WDRs, WRRS and master recycling permits. According to the Water Board staff, the orders will not completely replace existing monitoring and reporting provisions in all cases; however, they will remove conflicting or duplicative requirements wherever possible. There are three different orders that will be sent to permittees, depending on the type of recycling involved. These are:

- *Removal of priority pollutant monitoring requirements for landscape irrigation recycled water permits -*

This order will apply to all permittees that produce recycled water for landscape irrigation application and are currently required to monitor for priority pollutants. The order will remove priority pollutant monitoring and requirements in the monitoring and reporting programs

- *Volumetric reporting of wastewater and recycled water-* This order will apply to all permittees covered by NPDES permits, WDRs, master recycling permits, and WRRs. Permittees will be required to report volumetric data on wastewater and if applicable, recycled water annually. Annual reports will be due in April of each year for the previous calendar year, beginning with calendar year 2019. Permittees will submit the volumetric data to an electronic reporting system. Additional information and guidance on electronic reporting will be available January 2020.

- *Monitoring requirements for constituents of emerging concern (CECs) for groundwater recharge and potable reuse.* - This order will apply to all permittees that produce recycled water for groundwater recharge. Permittees will be required to monitor for CECs consistent with Attachment A of the Recycled Water Policy. Existing permit requirements for CEC monitoring will be superseded by this order.

6. Nutrient Watershed Permit, Regional Recycled Water Study Update (Fono)

BACWA will be contracting with a team made up of HDR and Woodard & Curran to complete the study. Agencies will need to review master plans, etc., ahead of time and flag those parts that are relevant to the study; also need to review draft report; RW committee can help with data requests and ensuring that information reaches the correct people within each agency. Members can volunteer for subcommittee to review report drafts and provide guidance.

7. Invalidated AB 2282 Recycled Water Building Standards (Olson)

The 2016 Recycled Water Building standards have been vacated. An LA judge threw out the building standards because environmental review was insufficient and cost was not accurately estimated. Due to cost of environmental review, BSC will not be working on the replacement.

8. California WaterReuse Action Plan (Biagtan)

This is a strategy to increase water reuse in California, and will inform Governor Newsom's water resiliency portfolio. It holds a list of recommended actions for the next 6 years and will be a living document. There are suggestions for funding. There was a discussion about whether WaterReuse advocates for funding for new bond measures. In general WaterReuse works through industry to promote recycled water, and does not interface directly with the public.

9. Legislation and Regulatory Update (Walker)

AB 292 (Quirk): WRCA sponsored bill that removes the terms "indirect" and "direct" from potable reuse definitions in statute, passed unanimously (8-0) from the Senate Resource and Water Committee. The bill received a very cool reception from the committee consultant and a fairly negative committee analysis, but ultimately the Chair, Senator Stern to vote for the bill (he had initially said he was not inclined to do so.) The bill will now go to the Senate Appr Committee.

AB 1180 (Friedman): Current law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified. This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service. Last amended June 18. "(b) For purposes of the update to the uniform statewide criteria for nonpotable recycled water uses described in subdivision (a), the state board shall adopt a regulation that incorporates by reference the criteria and applicable backflow protection provisions, including the provisions for the use of a swivel or changeover device for dual-plumbed systems, that are contained in the most recently adopted version of the policy handbook adopted pursuant to Section 116407 of the Health and Safety Code and any future versions of the policy handbook." In Senate Appr suspense file.

SB 166 (Wiener): This bill would require the state board, on or before December 1, 2025, in consultation with the CDPH Food and Drug Branch, to adopt regulations for microbiological, chemical, and physical water quality and treatment requirements for voluntary onsite treatment and reuse of process water in breweries, as specified. The bill would require an entity that implements a process water treatment system in a brewery to submit a report containing specified information to the state board and the food and drug branch, as provided, and to terminate the operation of, and modify to render inoperable, process water treatment systems in a brewery at the direction of the food and drug branch after having reasonable opportunity to come into compliance with applicable regulations, as warranted. The bill would require the food and drug branch to consult with the state board before requiring termination of a process water treatment system. The bill would require a process water treatment system in a brewery to comply with the regulations within 2 years of the effective date of the regulations with possible extensions, as specified. The bill would allow the state board to contract with private and public entities for advice regarding the content of the regulations. The bill would require, before beginning onsite process water reuse, a brewery engaging in onsite reuse using a process water treatment system to consult with the water and wastewater service providers in its service area that would potentially be impacted by operation of the system. The bill would authorize breweries to install and operate onsite process water treatment systems even if a local jurisdiction has not established a program for onsite treated nonpotable water systems. In Assembly Appr committee.

AB 1672: "Wipes out of Pipes" - concern with grinding plastics that may get into recycled water; now a 2 year bill; sponsored by CASA.

10. Announcements/Agency Updates – All

WaterReuse Northern California Chapter Meeting, August 23, 2019 in Palo Alto.
ReNUWIt is planning a recycled water workshop.

Future Agenda Topics:

GW special discharge with high salinity: Petaluma is facing a request to accept high TDS groundwater. Valley Water may have policy on groundwater discharge; WDR is a volumetric charge; Valley Water could send RO concentrate to Oro Loma levee project.

Lorien will get back to the group on how potential future PFAS monitoring requirements could affect recycled water projects.

Next Meeting

Tuesday, September 17, 2019, EBMUD Small Admin Training Room